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Statement of Michael Cook

My name is Michael Cook. I am currently employed as Director of Engineering and Construction for RCN Telecom Service of New York. In this capacity I am responsible for construction and outside plant engineering for the Boroughs of Queens and Brooklyn in New York City. I have been with RCN since May 2000. Prior to joining RCN I was employed by Time Warner Cable Company and other cable companies. I have been working in the Queens for over 16 years, supervising and performing all aspects of outside plant activities, including survey inspections, make-ready work, construction and maintenance. I have over 25 years of experience in outside plant construction, mostly in the New York City metropolitan area.

For many years I have worked closely with Verizon (formally Bell Atlantic-New York) employees and I am familiar with their cable wiring distribution and construction policies and practices. Based on my extensive experience in the cable industry and my day-to-day familiarity with Verizon's personnel and facilities in the Boroughs of Queens, I can state that approximately 25 percent to 30 percent of the existing Verizon poles in Queens are boxed for the carriage of cable wiring. Apart from the occasional pole which shows signs of structural weakness, to my knowledge, boxing of cable or telephone wiring poses no safety hazards and violates no applicable industry codes of good practice. I have never heard any Verizon employee or any individual knowledgeable and experienced in cable outside plant work, express a contrary view.

The foregoing is submitted under penalty of perjury and is true and correct to the best of my knowledge, information, and belief.

October 11, 2000

A handwritten signature in black ink, appearing to read "Michael Cook".

Michael Cook

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Statement of Kevin Comfort

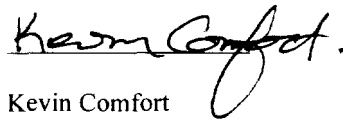
My name is Kevin Comfort , Associate Director of Construction for RCN Telecom Services of New Jersey, Inc. My office is located at 50 Tannery Rd. Unit 4 Branchburg NJ 08876. I have worked for RCN and its affiliates for the past 8 years. I have been a Construction Manager with RCN for 5 years working in NY and NJ areas. Prior to that , I worked at McCourt Kiewit International also as a Construction Manager. All together , I have been in the outside plant construction field for 8 years.

I am currently responsible for outside construction in the Northern New Jersey areas where RCN is expanding service and constructing network. RCN's network construction will require attachment of over 5100 street miles of cable to poles over the next two years, mostly attaching to poles presently owned or occupied by Verizon. In my estimation , in areas where I have direct knowledge of existing conditions , Verizon currently has boxed up to approximately 10% of available utility poles with their distribution cables.

In my experience , this is an acceptable industry practice and allowing RCN to box poles will greatly expedite our required cable construction.

Under penalty of perjury I declare the foregoing to be true and correct to the best of my knowledge , information , and belief.

October 11, 2000

Handwritten signature of Kevin Comfort in black ink, written in a cursive style.

Kevin Comfort

Statement of Fred Fabricious

My name is Fred Fabricious, Vice President Engineering and Construction for RCN of California. My office is located at 1400 Fashion Island Blvd. Suite 100, San Mateo, Ca. I have worked for RCN since May 2000. I have over 35 years of experience in the communications business including seventeen years at General Telephone and seventeen years at Citizens Utilities in Outside Plant Construction, both located in California.

In my experience, most utilities constructing aerial facilities on poles will attach on both sides to the utility pole (box) as long as no safety rules are violated and the required climbing space is maintained. Occasionally, cable extension brackets are utilized as an alternative where applicable to expedite cable construction. Boxing can expedite the construction of new aerial wiring by eliminating or reducing the need to change out poles (substituting a new, taller pole for an existing one).

RCN of California's Network Construction requirements will exceed over 6000 aerial plant miles in the near term. In the areas I have reviewed where RCN requires outside plant construction, I would estimate that 15% to 20% of the existing utility poles are boxed (cable plant on both sides of pole) by PacBell facilities. This is typical of what I would expect to see in most areas with which I am familiar.

Under penalty of perjury I declare the foregoing to be true and correct to the best of my knowledge, information, and belief.

October 11, 2000



Fred Fabricious

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Statement of Marvin Glidewell

My name is Marvin Glidewell. I am currently Director of Engineering and Construction for the RCN Philadelphia Market .I have worked in the telecommunications industry for 20 years, beginning with Storer Cable Communications in 1979 . Since that time I have started and operated two Telecommunication Engineering Service Companies. These companies offered field services, drafting services, RF design and Make Ready Engineering. In addition I acted as a Liaison between CATV companies and phone and electric companies in New Jersey, Pennsylvania, Maryland , New York , Virginia , and Delaware . In this role I participated in Joint Surveys to determine the scope of rearrangement work required by each attacher to complete the Make Ready process. In the last twelve years I have worked with New Jersey Bell , United Telephone , Sprint , Bell of Pennsylvania, Bell Atlantic , PSE&G , GPU Energy , Delmarva Power , PECO Energy , JCP&L in these efforts.

RCN of Philadelphia is currently engineering and constructing a Telecommunications Network that could eventually reach 20,000 plant miles , covering portions of Montgomery , Delaware , Bucks , Philadelphia and Chester counties. Within our proposed service area the local phone company is Verizon and the local power company is Peco Energy . There is no joint pole ownership in this region . Approximately 80 % of the poles in our service area are owned by Peco Energy . The other 20 % are owned by Verizon . As this region has grown , the available space on these poles has diminished. This has lead to need for “ back – bolting “ of facilities to quickly gain pole access. I would estimate that in this region that Verizon facilities are attached street side and field side on poles in a back – bolted fashion creating outside plant construction that boxes 20% of all available poles . This seems to be an excepted method of attachment for Verizon due to the limited available vertical space on the poles.

Under penalty of perjury, I declare the foregoing is true and correct to the best on my knowledge, information, and belief.

October 11, 2000

A handwritten signature in black ink, appearing to read "Marvin B. Glidewell", written over a horizontal line.

Marvin Glidewell

DECLARATION OF EDMUND F. FELONI, P.E.

I, Edmund F. Feloni, do hereby state as follows for my Declaration:

BACKGROUND AND QUALIFICATIONS

1. I am Principal Engineer for Consulting Engineers Group, Inc based in Holliston, Massachusetts. My special expertise is in the specification and integration of high voltage systems and large-scale communications infrastructure into both private and municipal electric utilities, large transportation agencies and industrial complexes. I also specialize in the design and modification of electric distribution/supply substations and underground/overhead electric circuits and Fiber Optic/Hard Wire telecommunications wire and equipment.

2. I have consulted extensively to investor-owned utilities, municipal electric utilities, cable television companies, telecommunications companies, Internet service providers and colleges/universities on a variety of electrical, construction, safety and telecommunications issues. I also have worked extensively with numerous telecommunications companies on various rights-of-way access issues. I have addressed numerous NESC safety and clearance issues for clients, and have developed construction standards for several telecommunications and cable television companies. I have provided design/construction plans and supervision for overhead and underground cable crossings for railroads, bridges, rivers, interstate and local highways, secondary roads, wetlands and private developments. These crossings entailed aerial facilities, directional boring, and manhole and duct systems. In my current and prior employment I have been involved on a daily basis with the issues raised by the need to attach

telephone or cable wiring to utility poles. I am very familiar with the industry codes, guidelines, and practices involving the attachment of such wiring.

3. While beginning my career as a consultant to the electric utility industry, I later became a line superintendent for a municipal electric utility, having direct supervision over electric utility line workers, and working hand in hand with telephone and CATV linemen and engineers on a variety of aerial and underground construction projects. I have 20 years of experience in the electric utility and communications industries, and aerial and underground plant issues, and am a Licensed Professional Engineer in six (6) states.

PURPOSE OF DECLARATION

4. The purpose of this Declaration is to address a number of issues raised by Verizon-Massachusetts in connection with pole access by cable and CLEC companies. Specifically, I would like to provide my perspective on some of the important engineering and operational issues that have been raised.

OVERVIEW

5. The 1996 Telecommunications Act requires utilities to provide non-owning telecommunications companies with just, reasonable and non-discriminatory access to its poles. From the perspective of engineering, and access, VERIZON, in my opinion, is not adhering to this requirement. In other words, I do not think that VERIZON is treating new emerging telecommunications companies in a reasonable manner, or that it is applying its engineering and operational procedures in an even-handed fashion.

6. Second, VERIZON is holding to a double standard in terms of both attachment techniques and safety issues. On this point, VERIZON appears to be helping

itself to attachment techniques (boxing and back bolting) and practices that it specifically has denied to other telecommunications companies.

BOXING OF POLES

7. VERIZON raises a number of challenges to the practice of boxing poles. This term refers to the placement of facilities on both the “field side” of the pole and the “road side” of the same pole. VERIZON’s arguments for limiting the boxing of poles include limiting the climbing space; hindering pole replacement and facilities transfers; and hindering the installation of utility plant such as switch handles. I do not believe that any of these arguments represents a legitimate reason for not allowing the boxing of poles, especially where the utility itself boxes its poles with its own communications attachments.

8. The communications cabling attached to utility poles is generally placed on the street side for ease of access and uniformity. When a pole has no further space for additional attachments on the street side, it is common practice to box the pole (either by back bolting, that is using the back side of an existing through bolt, or to install anew through bolt and place the new attachment on the field side of the pole opposite and above the street side attachment. These methods provide additional opportunity (more pole real estate) to use existing poles without having to change out to a taller pole – a process that is substantially more expensive and time consuming. Boxing is accomplished by placing a bolt through the diameter of the pole and the additional attachment is affixed to the bolt on the side opposite to the side on which wiring is already attached. The boxing of poles presents no safety hazard to linemen and the

general populace and is fully consistent with every industry, federal, or state code known to me.

9. Of course, like any other method of attachment, boxing should not be employed until the pole has been surveyed to assure that there are no individual circumstances which would suggest that boxing would be unwise, such as a pole whose strength or stability may be in question. Boxing can significantly accelerate the build out of a wire-based system, which requires pole attachments and is generally very cost effective as compared with Alternatives. Newly formed and existing CATV and telecommunications companies recognize the concerns that Verizon may have with boxing poles. However, due to the ever-changing business climate of both the electric utility and telecommunications industry, I believe that changes to old practices must be made in the field.

10. I do not believe that the boxing of poles will in any way effect the integrity of Verizon's pole stock or aerial communication infrastructure, or interfere with the daily work practices of its line crews. With the advent of newer and more efficient aerial lift trucks, it is rare that a lineman is required to climb a pole on hooks. When this does occur, it is more likely that a CATV or telephone lineman will be climbing and working off a ladder and then the work is typically in the communications space. Should an electric lineman have to climb a boxed pole, the added attachment is either used as a step or handrail, and is bypassed as the lineman ascends into the supply space. Further, any equipment maintained by the utility is in the supply space and is typically handled out of a bucket truck, well above the boxed pole area. Both as a former supervisor of lineman and as someone who spends a lot of time around energized

electric facilities, I am acutely aware of the dangers of outside plant construction. But I am also aware that some pole owners “use” safety as a catchall to defend practices that they wish to perpetuate unreasonably. Likewise, my experience has been that some utilities are less critical of their own communications attachment practices when they are racing to build competitive fiber networks. VERIZON appears to fall into this pattern.

11. Replacing a boxed pole does require more effort than replacing a non-boxed pole. This additional effort is compensated by the use of double digger-derricks with pole claws, and either using the cut-and kick method, or floating the boxing attachment, and placing the new pole up between the wires as is normally done. Replacing a boxed pole is no more difficult than replacing a pole with a transformer or power supply attached to it. No pole is consistently worked on, on a daily, monthly, or yearly basis. It is not unusual to have a pole be set and framed and not touched for many years. As time passes, some line work may have to be performed on a pole every five to ten years or so, such as a house service change over or upgrade, or a primary system upgrade. But the majority of pole stock is typically forty years old or more when it comes time to replace it. When the replacement time does come, it is more cost effective and often warranted to set a taller pole. When a boxed pole is encountered, and the taller pole is set, the wires are transferred to a single face, thereby eliminating the boxing position.

12. I understand that Verizon-Massachusetts will not allow the boxing of poles unless the pole has already been boxed by Verizon. I know of my own knowledge that boxing is widely practiced in other states in which Verizon and its predecessor entities own and operate poles, and indeed it is widely practiced throughout the United

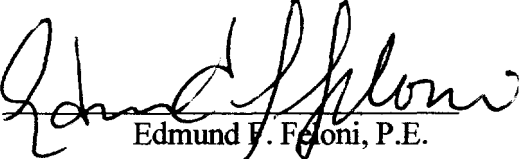
States. I know of no pole-owning entity other than Verizon-Massachusetts, which as a matter of principle refuses to allow boxing. The Bellcore Blue Book, the construction standard to which Verizon adheres to, refers to boxing and indeed illustrates boxing as a generally accepted attachment technique.

13. The NESC code provides that there should be a vertical separation between power cables and communications cables of 40 inches. This separation is intended to assure that anyone working on the poles will be able to tell which wires carry life threatening electrical power, and which do not. However, the Code also provides that in certain circumstances this vertical separation can be reduced to 30 inches. This is also a common practice and is employed, as in the case of boxing, when a pole is already carrying a full complement of wiring but an additional attacher wants to use the pole to carry its wiring. I am aware of circumstances in several utility service territories where separation between power and communications cable is less than 40 inches but not less than 30.

14. Finally, with respect to the general subject of pole access, the newly emerging competitive carriers, cable overbuilders, and other entities are putting a strain on the existing utility pole stock in moderately and densely populated areas. In such circumstances it is essential that the various pole owners approach pole attachment issues with an open mind, a willingness to think creatively, and to work with competitors, other utilities that may own a particular pole, and others to find solutions to the growing need for pole access. It is entirely possible to do so within the confines of existing public and private codes, good engineering practice, and economic prudence and many forward looking utilities are doing so. On the other hand, rote and thoughtless refusal to consider

more proactive use of pole plant does not serve the public's interest in encouraging a competitive environment.

I, Edmund Feloni, do hereby declare under the penalty of perjury that the attached Declaration is true and correct.

 PE
Edmund F. Feloni, P.E.

Date: 10/12/00

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of October, 2000, a copy of the foregoing Opposition of RCN-BecoCom, L.L.C. to Grant of Application was served on the following parties via messenger or, if marked with an asterisk, by first class postage-paid U.S. mail:

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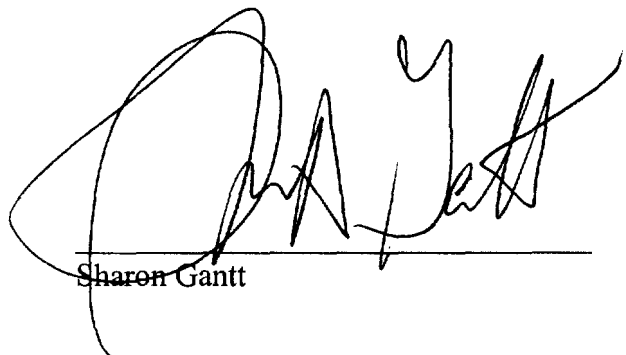
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